

# Juvenile Justice Advisory Committee

August 24, 2016

2:00pm – 5:00pm

EOPSS, Transportation Building

## Meeting Minutes

**JJAC Members:** Robert Gittens (Chair), Cecely Reardon (Vice Chair), District Attorney Jon Blodgett, Dr. Mark Booher, Ruth Budelmann, Jeff Butts, Wes Cotter, Glenn Daly, Margie Daniels, Kanchana Fernando, Commissioner Peter Forbes, Dr. Kimberly Larson, Amanda Moran, Guetano Mortillaro, Janelle Riddley.

**EOPSS:** Angela Davis, Emily Fontaine, Samantha Frongillo, Andrew Polk, Kevin Stanton.

**Guests:** N/A

### Agenda

1. Welcome/Introductions
2. Membership Update
3. Overview of JJAC Purpose, Priorities and Activities
4. Approval of Minutes
5. Compliance Matters: Annual Compliance Report, Court Holding Facilities and DMC Update
6. Discussion of Proposed Regulations and Comments/Vote re Chair Approval on Comments
7. Legislative Update
8. Discussion of Key Projects: Trauma Conference/Forum, DMC in School-based Discipline and Arrest, and Other?
9. Discussion of Meeting Format and Content
10. Presenter for Next Meeting
11. Annual Report: Format and Content Suggestions/Vote re Chair Approval of Final Draft and Funds

**Handouts:** Agenda, Acronym List, SAG Elements & Responsibilities, Work Plan, Minutes, Annual Compliance Report, Compliance Data, Proposed Regulations re JJDP, Assessment of Proposed Regulations

Chair Gittens opened the meeting with a welcome to everyone, particularly the new members. All in attendance introduced themselves.

For the benefit of the new members, Andrew Polk provided an **overview of the purpose, priorities and activities of the JJAC, the Juvenile Justice and Delinquency Prevention Act (JJDP), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP)**. Among other matters, Mr. Polk spent time discussing the core requirements of the JJDP and the compliance concerns confronting Massachusetts such as the lack of adequate separation between juvenile and adult detainees in many of the Commonwealth's court holding facilities. Cecely Reardon added comments about the roles of SAGs in other states and that they may have different priorities based on the specific juvenile justice concerns relevant to their states.

District Attorney Blodgett mentioned that with regard to the juvenile **diversion priority** of the JJAC, he would be willing to discuss at some point his concerns about the report that was written by ICF International and funded by the JJAC regarding diversion practices in Massachusetts.

The **minutes** from the prior meeting were approved.

Mr. Polk and Chair Gittens discussed, in more detail, the **compliance matters** for which EOPSS and the JJAC have responsibility. Mr. Polk discussed the role and activities of Compliance Monitor Ednei Furtado who is currently on military leave. Chair Gittens discussed the meeting he recently attended with Chief Justice Carey and Court Administrator Spence about the status of implementing remedies in the court holding facilities to improve sight and sound separation between juvenile and adult detainees. Mr. Polk discussed the recent site visit from OJJDP staff. The visit included site visits to the Lynn Juvenile Court and the Quincy District Court. OJJDP was satisfied with the use of magnetic curtains to provide sight separation in the Lynn District Court. They stressed the need for policies to ensure that juveniles and adult detainees are held in cells as far apart as possible in order to achieve sound separation.

OJJDP was concerned with the problems confronting Quincy District Court. It is not clear whether renovations are a realistic possibility given the limited available space. The possibility of using Dedham Juvenile Court for juveniles rather than Quincy District Court was raised as was the concern that it may be a hardship for youth and families who would have to make the commute. In consideration of this, the group discussed the possibility of using Formula Grant funds to support transportation services between Quincy District Court and Dedham District Court. The OJJDP staff stated that they realized and appreciated the efforts being made to improve sight and sound separation in the various facilities.

Mr. Polk provided an **update on DMC activities**. Activities outlined in the Work Plan were explained. In addition, activities undertaken by other stakeholders as outlined in the Annual Compliance Monitoring Report were also mentioned. For instance, the recent implicit bias training provided to judges in the Commonwealth and other similar trainees for stakeholders were highlighted.

The next agenda items discussed were the **Proposed Regulations for the JJDP of 2002**. Mr. Polk explained the concerns he and Juvenile Justice Specialists in other states have with regard to the proposed regulations. The proposed regulations, if implemented, will lead likely to 48 states being out of compliance with the JJDP based on applying recent state data to the standards in the proposed regulations. Based on current Massachusetts data, the Commonwealth would likely be out of compliance on the Jail Removal, Separation and DMC core requirements. The result would be a drastically reduced Formula Grant award that would make it impossible to engage in adequate compliance monitoring and DMC reduction activities. Ms. Reardon indicated she had also heard similar concerns from other states. Mr. Polk reported that the proposed regulations are meant to create more objective standards and leave less room for arbitrariness to factor into OJJDP compliance decisions.

The committee discussed its desire to provide comments on the proposed regulations. A **motion** was made and approved for Mr. Polk to draft a letter highlighting the concerns of the JJAC, to email it to the committee for suggested edits, and for Chair Gittens to approve a final draft to submit.

Ruth Budelmann of the Essex County District Attorney's Office announced that on September 29, 2016 the office will be sponsoring an event on trauma-informed practices that OJJDP Administrator Listenbee will be participating in. JJAC members are invited to register.

Glenn Daly addressed the committee about the possibility of sponsoring an event to convene stakeholders on the issue of **trauma-informed practices**. Mr. Daly discussed the work of multiple state agencies in developing a statewide strategic plan with regard to trauma related policies and practices. He described the various priorities and goals that the agencies outlined and made part of the plan. The plan addresses issues such as screening youth for trauma, treatment approaches, the importance of cross-agency communication, etc. Mr. Daly suggested forming a core group of people to further assess trauma related issues, determine "next steps" and plan an event that would be useful to addressing relevant concerns and goals. Ms. Reardon suggested conceiving the event as a learning and action planning session. Mr. Polk suggested that the Juvenile Justice and Child Welfare Leadership Forum may also play a useful role in increasing inter-agency planning and collaboration on how best to serve children who experience trauma. Chair Gittens suggested that the Best Practices Subcommittee work with Mr. Daly on these matters.

Mr. Polk suggested that the committee look at the issue of **racial and ethnic disparities in school discipline practices and school-based arrests** as another project to take on. The DMC Subcommittee can take the lead on working on this with the assistance of JJAC member Janelle Riddle who works on similar issues in the Boston Public Schools Superintendent's Office.

Mr. Polk provided an update on **juvenile justice related bills** that were addressed in the state legislature during the past session and talked about the bills that the JJAC provided testimony on. While some progress was made on the various issues that the bills addressed no legislation was passed in the last session. Mr. Polk explained for the benefit of the new members that the JJAC aims to play a role in educating state legislators on relevant issues but does not engage in lobbying for particular bills.

Chair Gittens led the committee in a discussion about how to improve its **meetings**. Members agreed that the meetings should be shortened to two hours. It was suggested that the second hour could be saved for ordinary business while the first hour could include items such as presentations from guests or JJAC members. Chair Gittens also suggested the possibility of using "consent agendas" to address ordinary business. Members also liked the idea of holding the meetings in other locations such as at a DYS facility where a tour could be provided as part of a learning experience about the juvenile justice system.

The committee decided that the next meeting should include a discussion with District Attorney Blodgett regarding the Diversion Study.

Members suggested that system-involved youth be included in the committees meetings. EOPSS is in the process of appointing such youth to the committee. Mr. Polk also suggested that he and members can engage youth in focus groups to learn about their experiences and perspectives.

Wes Cotter recommended that committee members participate in compliance monitoring visits with the EOPSS Compliance Monitor in order to gain a better understanding of the core requirements of the JJDPa and the JJACs purpose.

The next agenda item addressed was the **JJAC Annual Report**. There was general agreement that the next report should be shorter than in past years and formatted in a manner that makes it more likely to be read and used. Mr. Polk will ask other states to email him examples of their SAG Annual Reports and will forward examples to the committee for comment on which examples should serve as the best models for the JJAC Annual Report. A **motion** was made and passed for Mr. Polk to draft the 2015 Annual Report, to circulate it via email for comment by JJAC members and for Chair Gittens to have final approval with regard to a final draft. The motion included approval of up to \$300 to fund the making of copies of the Annual Report. Angela Davis mentioned the possibility of disseminating the Annual Report to all state legislators with the assistance of EOPSS's legislative liaison.

The meeting was adjourned.